

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

<b>FREDDIE FALCONER, Inmate # B64044,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>vs.</b>	)	<b>CIVIL NO. 11-831-GPM</b>
	)	
<b>MD FE FUENTES, et al,</b>	)	
	)	
<b>Defendants.</b>	)	

**MEMORANDUM AND ORDER**

**MURPHY, District Judge:**

On May 16, 2012, Plaintiff filed a motion to voluntarily dismiss this entire action (Doc. 37). Pursuant to Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure, voluntary withdrawal of his claim is Plaintiff's right, and, accordingly, this action is **DISMISSED WITHOUT PREJUDICE**. Plaintiff is **INSTRUCTED** that, though he has dismissed his claim, he must still pay the filing fee for this case. *See* 28 U.S.C. § 1915(b)(1), (e)(2); *Lucien v. Jockisch*, 133 F.3d 464, 467 (7th Cir. 1998) (A prisoner incurs the obligation to pay the filing fee for a lawsuit when the suit is filed, and the obligation continues regardless of later developments in the suit, such as dismissal of the suit or denial of leave to proceed IFP. ). The Clerk is **DIRECTED** to **CLOSE** this **CASE**.

**IT IS SO ORDERED.**

DATED: May 21, 2012

s/ *G. Patrick Murphy*  
G. PATRICK MURPHY  
United States District Judge